

HOUSE COMMITTEE ON JUDICIARY

**May 28, 2009
1:00 P.M.**

Hearing Room 357

MEMBERS PRESENT: **Rep. Jeff Barker, Chair**
 Rep. Judy Stiegler, Vice-Chair
 Rep. Gene Whisnant, Vice-Chair
 Rep. Brent Barton
 Rep. Kevin Cameron
 Rep. Chris Garrett
 Rep. Wayne Krieger
 Rep. Andy Olson
 Rep. Jefferson Smith

MEMBER EXCUSED: **Rep. Chip Shields**

STAFF PRESENT: **Shannon Sivell, Committee Administrator**
 Anna Braun, Committee Administrator
 Bill Taylor, Committee Administrator
 Lisa Nuss, Committee Administrator
 Jennifer Ranstrom-Smith, Committee Assistant

MEASURES/ISSUES HEARD: **SB 971A - Public Hearing and Work Session**
 SB 309A - Work Session
 SB 274A - Work Session
 SB 728A - Work Session
 SB 874A - Work Session
 SB 310A - Work Session
 SB 603A - Work Session

This recording log is in compliance with Senate and House Rules. For complete contents, refer to the digital audio recording.

HJUD

5/28/2009 1:08:13 PM

1:08:14 PM Meeting Called to Order
1:08:22 PM SB 971A - Public Hearing
1:08:27 PM Lisa Nuss, Committee Counsel
1:09:00 PM Sen. Joanne Verger, Senate District 5
1:10:20 PM {Exhibit} 1: Verger
1:12:35 PM {Exhibit} 2: Verger
1:14:04 PM Joel Fischer, Policy Advisor, Senator Joanne Verger
1:15:01 PM Chair Barker
1:15:05 PM Rep. Cameron
1:15:14 PM Fischer
1:15:34 PM Rep. Garrett
1:15:54 PM Fischer
1:15:56 PM Sen. Verger
1:16:59 PM Rep. Cameron
1:17:34 PM Fischer
1:17:45 PM Rep. Cameron
1:18:08 PM Fischer
1:18:22 PM Rep. Cameron
1:18:30 PM Fischer
1:19:07 PM Rep. Cameron
1:19:23 PM Fischer
1:19:30 PM Rep. Garrett
1:20:14 PM Sen. Verger
1:20:31 PM Rep. Garrett
1:20:56 PM Fischer
1:21:41 PM Sen. Verger
1:21:57 PM Rep. Smith J.
1:23:24 PM Rep. Olson
1:23:47 PM Fischer
1:24:11 PM Rep. Olson
1:24:18 PM Fischer
1:24:31 PM Sen. Verger
1:25:39 PM Rep. Cameron
1:25:46 PM Fischer
1:26:11 PM Sen. Verger
1:26:27 PM Chair Barker
1:26:47 PM Paul Snider, Association of Oregon Counties
1:27:54 PM Chair Barker
1:27:56 PM Rep. Olson

1:28:09 PM Snider
1:28:27 PM Rep. Olson
1:28:30 PM Snider
1:28:33 PM Chair Barker
1:28:46 PM SB 971A - Work Session
1:28:55 PM MOTION: Vice-Chair Whisnant moves -A4 amendments
1:28:58 PM Chair Barker
1:29:05 PM VOTE: 8-1-1
1:29:06 PM Ayes: Barton, Cameron, Garrett, Krieger, Smith, Stiegler, Whisnant, Barker; Nays: Olson; Excused: Shields
1:29:08 PM MOTION: Vice-Chair Whisnant moves SB 971A DO PASS as AMENDED
1:29:20 PM Chair Barker
1:29:26 PM Rep. Olson
1:29:55 PM Chair Barker
1:29:58 PM VOTE: 8-1-1
1:29:59 PM Ayes: Barton, Cameron, Garrett, Krieger, Smith, Stiegler, Whisnant, Barker; Nays: Olson; Excused: Shields
1:30:27 PM Chair Barker
1:30:50 PM CARRIER: REP. BARKER will lead discussion on the floor
1:30:59 PM Chair Barker
1:31:55 PM SB 309A - Work Session
1:31:59 PM MOTION: Vice-Chair Whisnant moves that the RULES BE SUSPENDED to allow RECONSIDERATION of SB 309A
1:32:10 PM Chair Barker
1:32:16 PM VOTE: 9-0-1
1:32:17 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Smith, Stiegler, Whisnant, Barker; Excused: Shields
1:32:29 PM Chair Barker
1:32:40 PM Bill Taylor, Committee Counsel
1:32:57 PM {Exhibit} 3: Taylor
1:34:01 PM Chair Barker
1:34:03 PM Rep. Krieger
1:34:06 PM Taylor
1:38:09 PM Chair Barker
1:38:18 PM MOTION: Vice-Chair Whisnant moves -A7 amendments
1:38:21 PM Chair Barker
1:38:23 PM VOTE: 9-0-1
1:38:24 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Smith, Stiegler, Whisnant, Barker; Excused: Shields
1:38:26 PM MOTION: Vice-Chair Whisnant moves SB 309A DO PASS as AMENDED
1:38:31 PM Chair Barker
1:38:39 PM VOTE: 9-0-1
1:38:40 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Smith, Stiegler, Whisnant, Barker; Excused: Shields

1:38:47 PM CARRIER: REP. OLSON will lead discussion on the floor
1:39:09 PM SB 274A - Work Session
1:39:16 PM Anna Braun, Committee Counsel
1:39:29 PM {Exhibit} 4: Braun
1:39:38 PM Rep. Barton
1:39:39 PM Braun
1:39:56 PM MOTION: Vice-Chair Whisnant moves -A7 amendments
1:40:00 PM Chair Barker
1:40:04 PM VOTE: 8-1-1
1:40:05 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Smith, Whisnant, Barker; Nays: Stiegler; Excused: Shields
1:40:07 PM MOTION: Vice-Chair Whisnant moves SB 274A DO PASS as AMENDED
1:40:10 PM Chair Barker
1:40:21 PM VOTE: 8-1-1
1:40:22 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Smith, Whisnant, Barker; Nays: Stiegler; Excused: Shields
1:40:42 PM Chair Barker
1:40:43 PM CARRIER: REP. GARRETT will lead discussion on the floor
1:40:53 PM SB 728A - Work Session
1:40:55 PM Anna Braun, Committee Counsel
1:41:15 PM {Exhibit} 5: Braun
1:41:45 PM Braun
1:41:52 PM Chair Barker
1:42:11 PM MOTION: Vice-Chair Whisnant moves -A5 amendments
1:42:15 PM Chair Barker
1:42:19 PM VOTE: 9-0-1
1:42:20 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Smith, Stiegler, Whisnant, Barker; Excused: Shields
1:42:22 PM Chair Barker
1:42:32 PM Gail Meyer, Oregon Criminal Defense Lawyers Association
1:43:47 PM Chair Barker
1:43:50 PM Braun
1:44:07 PM Meyer
1:44:43 PM Braun
1:44:55 PM Meyer
1:45:01 PM Chair Barker
1:45:06 PM Vice-Chair Whisnant
1:45:27 PM Meyer
1:45:32 PM Braun
1:45:36 PM Chair Barker
1:45:45 PM Rep. Garrett
1:45:54 PM Braun
1:46:05 PM Vice-Chair Whisnant
1:46:11 PM Chair Barker
1:46:18 PM Rep. Barton

1:46:19 PM Vice-Chair Stiegler
1:46:20 PM Braun
1:46:26 PM Chair Barker
1:46:33 PM Rep. Garrett
1:46:34 PM Chair Barker
1:46:41 PM MOTION: Vice-Chair Whisnant moves SB 728A DO PASS as AMENDED
1:46:48 PM Chair Barker
1:46:55 PM Rep. Barton
1:47:10 PM Chair Barker
1:47:25 PM VOTE: 9-0-1
1:47:26 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Smith, Stiegler, Whisnant, Barker; Excused: Shields
1:47:59 PM Chair Barker
1:48:10 PM CARRIER: REP. BARKER will lead discussion on the floor
1:48:32 PM SB 874A - Work Session
1:48:37 PM Shannon Sivell, Committee Counsel
1:48:48 PM {Exhibit} 6: Sivell
1:49:44 PM MOTION: Vice-Chair Whisnant moves that the RULES BE SUSPENDED to allow RECONSIDERATION of SB 874A
1:49:53 PM Chair Barker
1:50:05 PM VOTE: 9-0-1
1:50:06 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Smith, Stiegler, Whisnant, Barker; Excused: Shields
1:50:08 PM MOTION: Vice-Chair Whisnant moves -A3 amendments
1:50:22 PM Chair Barker
1:50:42 PM VOTE: 9-0-1
1:50:43 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Smith, Stiegler, Whisnant, Barker; Excused: Shields
1:50:45 PM MOTION: Vice-Chair Whisnant moves to SUSPEND HJUD COMMITTEE RULE # 18
1:51:09 PM Chair Barker
1:51:19 PM VOTE: 9-0-1
1:51:20 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Smith, Stiegler, Whisnant, Barker; Excused: Shields
1:51:25 PM MOTION: Vice-Chair Whisnant moves SB 874A DO PASS as AMENDED
1:51:29 PM Chair Barker
1:51:40 PM Rep. Cameron
1:51:44 PM VOTE: 7-2-1
1:51:45 PM Ayes: Barton, Garrett, Olson, Smith, Stiegler, Whisnant, Barker; Nays: Cameron, Krieger; Excused: Shields
1:52:11 PM Chair Barker
1:52:15 PM CARRIER: REP. STIEGLER will lead discussion on the floor
1:52:28 PM SB 310A - Work Session
1:52:30 PM Shannon Sivell, Committee Counsel

1:52:47 PM Chair Barker
1:53:06 PM MOTION: Vice-Chair Whisnant moves SB 310A DO PASS
1:53:11 PM Chair Barker
1:53:19 PM VOTE: 9-0-1
1:53:20 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Smith, Stiegler, Whisnant, Barker; Excused: Shields
1:53:30 PM Chair Barker
1:53:47 PM CARRIER: REP. GARRETT will lead discussion on the floor
1:53:58 PM SB 603A - Work Session
1:54:01 PM Shannon Sivell, Committee Counsel
1:54:24 PM {Exhibit} 7: Sivell
1:54:40 PM Chair Barker
1:54:47 PM MOTION: Vice-Chair Whisnant moves -A4 amendments
1:54:50 PM Chair Barker
1:54:59 PM VOTE: 9-0-1
1:55:00 PM Ayes: Barton, Cameron, Garrett, Krieger, Olson, Smith, Stiegler, Whisnant, Barker; Excused: Shields
1:55:03 PM MOTION: Vice-Chair Whisnant moves SB 603A DO PASS as AMENDED
1:55:05 PM Chair Barker
1:55:16 PM VOTE: 8-0-2
1:55:17 PM Ayes: Barton, Cameron, Garrett, Krieger, Smith, Stiegler, Whisnant, Barker; Excused: Olson, Shields
1:55:19 PM CARRIER: REP. KRIEGER will lead discussion on the floor
1:55:27 PM Rep. Krieger
1:55:31 PM Chair Barker
1:55:36 PM Meeting Adjourned

HJUD

5/28/2009 1:08:13 PM

1:10:20 PM {Exhibit} 1: SB 971A, written testimony, Sen. Joanne Verger, 1 p

1:12:35 PM {Exhibit} 2: SB 971A, -A4 amendments, Sen. Joanne Verger, 1 p

1:32:57 PM {Exhibit} 3: SB 309A, -A7 amendments, staff, 8 pp

1:39:29 PM {Exhibit} 4: SB 274A, -A7 amendments, staff, 1 p

1:41:15 PM {Exhibit} 5: SB 728A, -A5 amendments, staff, 1 p

1:48:48 PM {Exhibit} 6: SB 874A, -A3 amendments, staff, 3 pp

1:54:24 PM {Exhibit} 7: SB 603A, -A4 amendments, staff, 2 pp
